

Exhibit 3

From: Bailey, Kate (CIV) <Kate.Bailey@usdoj.gov>
Sent: Tuesday, July 2, 2019 3:56 PM
To: Freedman, John A.; Federighi, Carol (CIV); Ehrlich, Stephen (CIV); Coyle, Garrett (CIV); Wells, Carlotta (CIV); Gardner, Joshua E (CIV)
Cc: DHo@aclu.org; Goldstein, Elena; Colangelo, Matthew; SBrannon@aclu.org; Gersch, David P.
Subject: RE: New York et al v. Department of Commerce et al., SDNY 18-cv-2921

Counsel—

We can confirm that the decision has been made to print the 2020 Decennial Census questionnaire without a citizenship question, and that the printer has been instructed to begin the printing process.

Best,

Kate Bailey
Trial Attorney
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Civil Division – Federal Programs Branch
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Washington, D.C. 20005
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From: Freedman, John A. <John.Freedman@arnoldporter.com>
Sent: Monday, July 01, 2019 3:47 PM
To: Bailey, Kate (CIV) <katbaile@CIV.USDOJ.GOV>; Federighi, Carol (CIV) <CFederig@CIV.USDOJ.GOV>; Ehrlich, Stephen (CIV) <sehrlich@CIV.USDOJ.GOV>; Coyle, Garrett (CIV) <gcoyle@CIV.USDOJ.GOV>; Wells, Carlotta (CIV) <CWells@CIV.USDOJ.GOV>; Gardner, Joshua E (CIV) <jgardner@CIV.USDOJ.GOV>
Cc: DHo@aclu.org; Goldstein, Elena <Elena.Goldstein@ag.ny.gov>; Colangelo, Matthew <Matthew.Colangelo@ag.ny.gov>; SBrannon@aclu.org; Gersch, David P. <David.Gersch@arnoldporter.com>
Subject: New York et al v. Department of Commerce et al., SDNY 18-cv-2921

Dear Counsel --

In light of the Defendants' repeated representations to the public, Congress, and the courts (as recently as last Tuesday) that "the Census Bureau needs to finalize the 2020 questionnaire by June of this year," and "changes to the paper questionnaire after June of 2019 . . . would impair the Census Bureau's ability to timely administer the 2020 census," see 6/25/19 letter from Solicitor General to Scott Harris, we are writing to confirm that the Census Bureau finalized the questionnaire over the weekend and that the final questionnaire does not include the citizenship question.

Please advise by 10 am tomorrow so that we can consider whether, if necessary, to seek further relief from the court.

Best,

John

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